

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4849 OF 2008

Hindustan Organic Chemicals Ltd. ... Petitioner

Vs.

State of Maharashtra & Ors. ... Respondents

Mr. Nikhil Mehta i/by M/s KMC Legal Venture for
the Petitioner.

Mr. S.D. Railkar, AGP for State.

CORAM : A.M. KHANWILKAR, J.
DATE : 8TH JULY, 2008

P.C. :-

1. Heard learned Counsel for the Petitioner.

2. Having regard to the reasons recorded by the trial Court which have been upheld by the Revisional Court, I find no reason to depart from the concurrent view taken by the two Courts below on the issue of recalling of witness, which is discretionary order. The argument that such discretion could not have been invoked in exercise of powers under Section 151 of C.P.C. clearly overlooks the detail reasons recorded by the two Courts below about the necessity to recall the witness.

3. No interference is warranted in exercise of writ jurisdiction. Hence, petition is dismissed.

(A.M. KHANWILKAR, J.)